



**DEALING WITH HOMELESS PEOPLE**  
SDPD Neighborhood Policing Resource Team  
December 16, 2013

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Homelessness is an extremely complex social problem that impacts the quality of life in our community. There are no easy solutions. The SDPD and elected officials in the County and City recognize that there is a fine line between homelessness as a social issue and a criminal issue. Many homeless are on the street because of substance abuse, mental illness, or both. Often the disorder issues associated with homelessness are criminal in nature but difficult to enforce. To assist the City and County provide better service to this "at risk" population the SDPD has created the Homeless Outreach Team (HOT). The team consists of police officers, County Health and Human Services specialists, and psychiatric clinicians from the Psychiatric Emergency Response Team (PERT), a private non-profit organization.

**REPORTING ILLEGAL CONDUCT**

While being homeless is not a crime, many kinds of public conduct are illegal and should be reported to the SDPD. These include being intoxicated, loitering, prowling, fighting, trespassing, aggressive panhandling, soliciting, urinating and defecating, consuming alcoholic beverages in certain public places, camping or sleeping in parks, littering, obstructing sidewalks, living in a vehicle parked on a public street, disturbing the peace by loud and unreasonable noises, using offensive words, behaving in a threatening manner, etc.

Persons observing these crimes should report them and provide details to the dispatcher. Call **911** if it is an emergency, i.e., if the crime is in progress or about to happen, and involves serious personal injury, property damage, or property loss. Otherwise call **(619) 531-2000** or **(858) 484-3154**, the SDPD non-emergency numbers. Details about reporting and providing information about crimes and suspicious activities are covered in a paper on the SDPD's website at

**[www.sandiego.gov/police/pdf/crimeprevention/ReportingCrimesAndSuspiciousActivities.pdf](http://www.sandiego.gov/police/pdf/crimeprevention/ReportingCrimesAndSuspiciousActivities.pdf)**.

**MAKING A CITIZEN'S ARREST**

Because many of these crimes are misdemeanors, a police officer can only arrest a person if the offense is committed in his presence. However, a person who witnesses the offense can make a citizen's arrest by calling the SDPD to report the crime and then when an officer arrives to take physical custody of the suspect, sign the arrest form stating that the offense was committed in your presence and that the officer is lawfully making the arrest. You must also be willing to appear and testify in court. Note that you do not have to physically take the suspect into custody. For your safety, such action is discouraged by the SDPD.

**AVOIDING AND PREVENTING PROBLEMS**

People can avoid problems with the homeless by maintaining a safe distance and using caution in dealing with them. They should not offer food or money. It will encourage more panhandling. People who are inclined to help the

homeless should contribute to local charities, missions, food banks, or social service organizations that assist the needy.

Property owners or managers can help prevent problems with homeless people by doing the following:

- Not permit anyone to camp or loiter on their property.
- Not allow anyone to store shopping carts, bedding, or other personal belongings on their property.
- Restrict access to sidewalk overhangs, alcoves, or other areas protected from inclement weather.
- Lock or remove handles from water spigots.
- Keep trash dumpsters locked when not being filled or emptied. Dumpsters should have bars that can be padlocked to prevent the lid from being opened except by the trash removal company. And the lids should have an opening through which material can be put in but not taken out. This is to prevent scavenging. The dumpsters or their enclosures should also have NO SCAVENGING signs saying that unauthorized collection of refuse or recyclable material is prohibited per SDMC Sec. 66.0402.
- Secure outside storage sheds or containers.
- Lock or turn off exterior power outlets.
- Keep gates locked. Install fast-closing gates to parking garages.
- Install bright lights on sidewalks and lighting that is motion activated at night in other exterior areas.
- Trim landscaping to eliminate hiding places. Canopies of mature trees should be maintained at least 8 feet above the ground. Bushes should be trimmed to less than 3 feet except where privacy or environmental noise mitigation is a primary concern, or where higher plants would not block any views, lighting, or camera coverage, or provide hiding places. Plant bushes with thorns in places where people might go to sleep, urinate, or defecate.
- Keep property free of trash, litter, junk, graffiti, etc.
- Design public amenities to discourage misuse, e.g., shape benches and other seating to be comfortable for sitting but not for sleeping.
- Have plants at sidewalk level. If raised planter boxes are used, the sides should be at least 4 feet high or their tops should be uncomfortable for seating, e.g., by making them very narrow, allowing plants to grow over them, etc.
- Establish, post, and enforce rules of conduct for public use of their property, in any. Post signs prohibiting loitering, illegal lodging, drinking alcoholic beverages, drug activities, etc. The signs should state that persons engaged in prohibited conduct will be asked to leave their property, and that failure to cease the conduct or leave will result in a call to the SDPD.
- Have a security patrol drive by their property at random times and ask trespassers to leave. The SDPD should be called if the trespassers refuse to do so.
- Install cameras to cover the areas where the homeless might be. Cameras can be wired or wireless. Imagery can be recorded at specific times, when motion is detected, or when some illegal conduct occurs, e.g., a transient sitting on the sidewalk. In the latter case, with video analytics or intelligent video, the person with the monitor would be alerted. If that person is on the property, he or she would then go out and ask the transient to leave. If no one is on the property, e.g., when a store is closed, the imagery can be viewed on a remote monitor or on a web-enabled mobile device. The person alerted would call the SDPD if illegal conduct is observed. Any system that is installed should be able to provide high-quality, digital imagery of suspicious persons and activities for use by the SDPD in investigating crimes.
- In some places a remote-controlled camera could be used. It would turn on when motion is detected, take a flash picture, and warn the trespasser that the SDPD will be called if he or she does not leave the property immediately.
- When cameras are not monitored all the time, signs regarding them should simply state that CAMERAS ARE ON THE PREMISES or SURVEILLANCE IS IN PROGRESS. Words like “security,” “protection,” or “monitoring” should not be used because they can give people a false sense of security by expecting timely help if they are threatened or attacked, or that they or their property are somehow being protected by the cameras.
- If problems with the homeless arise, talk the local SDPD Community Relations Officer (CRO). SDPD Area Station addresses and phone numbers are listed at the end of this paper. The CRO there might suggest filing a Letter of Agency that authorizes the SDPD to enter their property to ask unauthorized persons to leave; and if they refuse to do so or return thereafter, to enforce any law violations on and about the property. The form for this letter can be downloaded from the FORMS & PERMITS section of the SDPD website at [www.sandiego.gov/police/forms/index.shtml](http://www.sandiego.gov/police/forms/index.shtml). Note that the letter must be renewed every six months. If a Letter of Agency is filed, NO TRESPASSING signs stating this should be posted. These signs should state the address of the property, the name and phone number of the property owner or manager, and the non-emergency SDPD

phone number to report suspicious activities, which is **(619) 531-2000** or **(858) 484-3154**. The signs should be at least 18 by 24 inches in size, have a font visible from the nearest public street, not be accessible to vandals, and be posted on the entrances and spaced evenly on the boundaries of the property. A sample sign is also available in the FORMS & PERMITS section of the SDPD website.

#### **SDPD AREA STATIONS**

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Central	2501 Imperial Ave. SD 92102	(619) 744-9500
Eastern	9225 Aero Dr. SD 92123	(858) 495-7900
Mid-City	4310 Landis St. SD 92105	(619) 516-3000
Northeastern	13396 Salmon River Rd. SD 92129	(858) 538-8000
Northern	4275 Eastgate Mall SD 92037	(858) 552-1700
Northwestern	12592 El Camino Real SD 92130	(858) 523-7000
Southeastern	7222 Skyline Dr. SD 92114	(619) 527-3500
Southern	1120 27th St. SD 92154	(619) 424-0400
Western	5215 Gaines St. SD 92110	(619) 692-4800

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